

**REMARKS****Summary of the Office Action**

Claims 1-5, 18 and 19 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Claims 1-3 and 5-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Heo (U.S. Patent No. 6,741,796) (hereinafter “Heo”).

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Heo in view of Sakai (GB 2 225 147) (hereinafter “Sakai”).

**The Rejection under 35 U.S.C. § 101**

Claims 1-5, 18 and 19 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants respectfully traverse the rejection under 35 U.S.C. § 101. When an audio DVD player reproduces an audio DVD, the audio DVD player first accesses the audio zone of the audio DVD, refers to the reproduction control information recorded in the audio zone, extracts the audio information out of the substantial information in accordance with the reproduction control information, and finally reproduces the audio information. Therefore, the DVD reproduced by the audio DVD player must have the reproduction control information in the audio zone.

In contrast, when a video DVD player reproduces a video DVD, the video DVD player first accesses the video zone of the video DVD, refers to the reproduction control information recorded in the video zone, extracts the audio and video information out of the substantial information in accordance with the reproduction control information, and finally reproduces the

audio and video information. Therefore, the DVD reproduced by the video DVD player must have the reproduction control information in the video zone.

The information recording medium recited in claim 1, and claims 2-5, 18 and 19 dependent therefrom, includes the first reproduction control information in the video zone and the second reproduction control information in the audio zone. Therefore, a video DVD player (a first reproducing apparatus) can reproduce the audio and video information out of the substantial information recorded on the DVD (the information recording medium claimed in the present application) in accordance with the first reproduction control information, and an audio DVD player (a second reproducing apparatus) can reproduce only the audio information out of the substantial information recorded on the DVD (the information recording medium claimed in the present application) in accordance with the second reproduction control information. That is, in the present application, the substantial information recorded in the video zone is related with the second reproduction control information recorded in the audio information, which is for reproducing only the audio information contained in the substantial information. Therefore, the material is structurally and functionally interrelated to the information recording medium, and the material is not merely carried by the medium. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 101, of claims 1-5, 18 and 19, be withdrawn.

**All Claims Define Allowable Subject Matter**

Claims 1-3 and 5-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Heo. Applicants respectfully traverse the rejection under 35 U.S.C. § 102(e). Applicants submit that Heo fails to teach Applicants' claimed invention. In independent claim 1, for example, the

information recording medium has one kind of substantial information and two kinds of reproduction control information (first reproduction control information and second reproduction control information), both of which are related with the same substantial information. The substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone. The second reproduction control information recorded in the audio zone enables the second reproducing apparatus to reproduce only the audio information out of the substantial information recorded in the video zone on the information recording medium. The second reproducing apparatus is able to reproduce audio information, but not able to reproduce video information. That is, the subject matter of independent claim 1 includes that the second reproduction control information to reproduce only the audio information out of the substantial information recorded in the video zone is recorded in the audio zone on the information recording medium. All additional independent claims (i.e. independent claims 6-11 and 20-23) also recite that the second reproduction control information is recorded in the audio zone.

In contrast, Heo discloses that each of the DVD-Video and DVD-Audio contains both VIDEO\_TS and AUDIO\_TS, and that the DVD-Video has the AUDIO\_TS emptied (all of the information on the data stored in the DVD-Video disk being contained in the VIDEO\_TS; see col. 5, ll. 1-5) since a DVD player of Heo properly plays a DVD-Video or DVD-Audio by distinguishing them. See col. 2, ll. 24-26. Since the AUDIO\_TS of a DVD-Video of Heo has no information, only audio information cannot be reproduced from the DVD-Video of Heo by a DVD-Audio player. See col. 28, ll. 18-21. That is, Heo does not teach or suggest a DVD-Video whose AUDIO\_TS has some effective reproduction control information for a DVD-Audio

player. Moreover, Heo teaches away from the subject matter of the present application. Thus, Applicants respectfully submit that Heo does not teach second reproduction control information being recorded in the audio zone, as recited in independent claims 1, 6-11 and 20-23. Claims 2-3, 5, 18 and 19 depend from claim 1, claim 12 depends from claim 6, claim 13 depends from claim 7, claim 14 depends from claim 8, claim 15 depends from claim 9, claim 16 depends from claim 10, and claim 17 depends from claim 11. The dependent claims recite the same combination of allowable features recited in the respective independent claims, as well as additional features that define over the prior art. Accordingly, it is requested that the rejection under 35 U.S.C. § 102(e), of claims 1-3 and 5-23, be withdrawn.

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Heo in view of Sakai. Applicants respectfully traverse the rejection under 35 U.S.C. § 103(a). Claim 4 depends from claim 1 and recites the same combination of allowable features recited in claim 1, as well as additional features that define over the prior art. Applicants submit that Sakai fails to overcome the above-described deficiencies of Heo. Applicants request that the rejection under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully requests reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

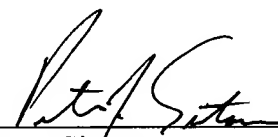
**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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